

UNITED STATES COURT OF APPEALS

JUN 16 2011

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DANTON BALLARD, individually and
on behalf of all others similarly situated;
NATHAN LYONS, individually and on
behalf of all others similarly situated;
BARRY SMITH, individually and on
behalf of all other similarly situated;
MICHAEL WIGGINS, individually and
on behalf of all others similarly situated,

Plaintiffs - Appellees,

v.

WAL-MART STORES, INC.,

Defendant - Appellant.

No. 08-16258

D.C. Nos. 4:06-CV-02069-SBA
4:06-CV-05411-SBA
Northern District of California,
Oakland

ORDER

Before: RYMER and TASHIMA, Circuit Judges, and LEIGHTON,* District
Judge.

The parties' joint motion to voluntarily dismiss this appeal pursuant to Rule
42(b) is GRANTED, and this appeal is dismissed. Each party shall bear its own
costs.

A copy of this order shall serve as the mandate of this court.

* The Honorable Ronald B. Leighton, United States District Judge for
the Western District of Washington, sitting by designation.